

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-38, drawn to method of constructing a cellular structure.

Group II, claim(s) 39-41, drawn to an article (cellular structure).

2. The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: claim 39 is either obvious over or anticipated by Elzey et al. (US 7,288,326), (Items 120 and 122, figures 1A, 1B and 8; column 11, lines 12-24). Accordingly, the special technical feature linking the two inventions, the article comprising: at least one node pin, said at least one node pin spanning between desired said nodes does not provide a contribution over the prior art, and no single general concept exists. Therefore, restriction is appropriate.

3. During a telephone conversation with Attorney Vincent Deloca on 04/28/2008 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-38. Affirmation of this election must be made by applicant in replying to this Office action. Claims 39-49 have been withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Vincent Deloca on 05/06/2008.

The application has been amended as follows:

In the claims:

5. Cancel non-elected claims 39-41.

Allowable Subject Matter

6. Claims 1-38 are allowed.
7. The following is an examiner's statement of reasons for allowance: The Patent to Elzey et al. discloses a method of forming a cellular structure with a 2-D and 3-D truss-core structure but fail to teach or fairly suggest a constructing a cellular structure having nodes; providing at least one node pin, said at least one node pin spanning between two desired said nodes; and diffusion bonding at least one truss layer to at least one panel; applying force that results in said truss layer and said panel that are being bonded to be pressed together, said node pins providing support for the structure so as to concentrate or transmit the applied force onto said contact regions and other claimed features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL ABOAGYE whose telephone number is (571)272-8165. The examiner can normally be reached on Mon - Fri 8:30am - 5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on 571-272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Aboagye/
Assistant Examiner,
Art Unit 1793

/Kevin P. Kerns/
Primary Examiner, Art Unit 1793